



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR MIKE LENARES

MINUTES

NEWINGTON TOWN COUNCIL MEETING

September 27, 2011

The Newington Town Council Executive Session scheduled for 6:30 p.m. Re: Property Acquisition was not held (tabled).

Mayor Lenares called the regular meeting to order at 7:00 PM in the Town Council Chambers of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present

Councilor Banach
Councilor Bottalico
Councilor Cohen
Councilor DelBuono
Councilor Klett
Councilor McBride
Councilor Nagel
Councilor Nasinnyk
Mayor Lenares

Staff Present

Jaime Trevethan – Executive Assistant to the Town Manager
Richard Mulhall – Police Chief
Steve Juda – Town Assessor

Note: Town Manager Salomone was absent due to illness.

III PUBLIC PARTICIPATION – IN GENERAL

Rose Lyons, 46 Elton Drive: Ms. Lyons thanked the Town Manager's office for clarification of resignations and appointments on the agenda.

IV CONSIDERATION OF OLD BUSINESS

A. 8-24 Report: Barkledge Drive and Sterling Street Acceptance

Executive Assistant to the Town Manager Jaime Trevethan stated that this is the next step in accepting these two streets. She stated that if the TPZ submits a favorable 8-24 report the next step will be to hold a public hearing and then to consider accepting the streets.

Councilor Nagel moved the following:

RESOLVED:

That the Newington Town Council hereby refers to the Town Plan and Zoning Commission for an 8-24 Report the proposed acceptance of Barkledge Drive and Sterling Drive in accordance with Connecticut General Statutes §8-24.

Motion seconded by Councilor Cohen. Motion passed 9-0.

B. Non-Emergency Interagency Agreement

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council hereby authorizes John Salomone, Town Manager, to enter into a “Non-Emergency Interagency Agreement” with the Mid-State Task Force as attached.

Motion seconded by Councilor Cohen.

Chief Mulhall stated that this is a renewal of an existing agreement among area towns to work together in joint non-emergency police operations and projects. Councilor Nasinnyk inquired as to how long the Town has been involved with this agreement. Chief Mulhall replied that the agreement has been in place for six years. Councilor Nasinnyk inquired whether the program has been successful. Chief Mulhall replied in the affirmative and stated that it is a great regional resource that helps to cut costs. He noted that the program includes a regional accident reconstruction team, shared use of mobile license plate readers and a regional drug enforcement team.

Motion passed 9-0.

C. Job Description Update: Welder-Mechanic Helper

Mrs. Trevethan stated that the Town is currently going through the hiring process for this position and stated that the updated job description contains current language pertaining to the position and ADA-required verbiage. Mayor Lenares inquired about how long the position has been vacant. Mrs. Trevethan replied that the position has been vacant for about a month or two and indicated that applications for the position will be accepted through October 3.

Councilor DelBuono moved the following:

RESOLVED:

The Newington Town Council hereby approves of amendments to the “Classification and Pay Plan” by approving the job description for Welder - Mechanic Helper (HLT-13) as recommended by the Town Manager in his capacity as Personnel Director.

Motion seconded by Councilor Cohen. Motion passed 9-0.

V CONSIDERATION OF NEW BUSINESS

A. Elderly Tax Reward Program

Councilor Klett remarked that this is an important agenda item and noted that the acoustics in the room are not good. She stated that with the air conditioning running she is having difficulty hearing. Town Assessor Steve Juda moved to a different microphone in order to be better heard.

Mr. Juda presented a report to the Council regarding expense to the Town for alternative tax assistance to the elderly; Mr. Juda stated that this study was done at Councilor Bottalico's request. He indicated that Councilor Bottalico had asked for information regarding three possible upgrades to the tax assistance program:

1. The cost to increase the average benefit from \$350 to \$620 per applicant.

- 2, The additional cost to option 1 if the means test is increased from the current \$39,500 to \$60,000 per year.
3. The cost to include an element of stabilization or freeze for property owners over age 65 who meet the increased means test and have owned property in Newington for over 20 years.

A copy of Mr. Juda's presentation is attached.

Mr. Juda stated that the State passed a law in 1983 to provide people over age 65 who meet certain income thresholds with tax relief. He noted a breakdown of the qualifying income range and average benefits to Town residents as outlined on the attached presentation. He noted the results of the informal survey he took of other area towns regarding elderly tax benefits and town allocations as indicated in the attached presentation and noted that Newington's average benefit and allocation is less than many area towns. He noted that Newington's annual cost is about \$175,000 whereas the survey average is \$309,676. He stated, therefore, that it would cost the Town an additional \$135,000 to meet the survey average.

Mr. Juda indicated that the second scenario involves increasing the income limits from the current limit of \$39,500. He stated that the State law does not specify an income limit. He stated that with the increased limit there would be about 750 households eligible for the program in comparison to the current 500 eligible households. He indicated that the additional cost for the additional homes and the increased benefit would be approximately \$290,000.

Mr. Juda explained that the concept of the third scenario is to "freeze" the taxes of property owners who qualify for the tax relief program and have owned property in Newington for more than 20 years. He indicated that this could be done by either using the local option or by placing a lien on the property deed. Mr. Juda indicated that the State did away with the freeze about 25 years ago, due to cost and he noted that there are still eight homeowners in the Town who are on the program from 25 years ago. He stated that the State has capped the benefit to \$2000 per year. He indicated that implementing this program in Newington would cost the Town an additional \$116,000 to \$1,214,000 annually, as explained on the attached presentation. Mayor Lenares indicated whether the projected number of households changes as the years progress. Mr. Juda replied in the negative and stated while the projected number of households stays the same, the projection includes a yearly mill rate increase. He mentioned that the projections include 800 households per year and remarked that the important number to note is the \$5,000 average frozen tax rate per household and the costs associated with projected annual taxes above the \$5,000 mark. Councilor Bottalico noted that while the \$1,214,000 cost projected for 2020 appears to be a large number he remarked that it will likely only be a small percentage of the 2020 budget.

Councilor Cohen inquired how the Town would certify those eligible for the increased means thresholds. Mr. Juda replied that income is verified at the Assessor's office through income tax documentation and stated that State audits the program. Councilor Cohen stated that this is a budgetary issue and inquired whether the Assessor's staff would be able to administer the increased participation. Mr. Juda replied in the affirmative. Councilor Klett concurred with Councilor Cohen and noted that this topic was discussed during the last budget session. She stated that it is a budgetary issue and while this is important information, it should be discussed during next year's budget deliberations.

Mr. Juda noted a summary of costs as outlined on page seven of the attached presentation. He summarized the costs as follows:

- Item 1: \$135,000
- Item 2: \$425,000
- Item 3: \$541,000 to \$1,639,000

Councilor Bottalico thanked Mr. Juda for the thorough presentation and remarked that this is an important item to discuss now and in the future. Councilor Nasinnyk inquired whether the Council would consider one of the three options or a combination of the three. Mr. Juda replied that the Council would only consider one of the three options, as option 2 is a combination of options 1 and 2 and option 3 is a combination of options 1, 2 and 3. Councilor Nasinnyk inquired whether the means test includes assets as well as salary. Mr. Juda replied that the means test only includes salary and does not account for assets or property owned, as per the State law. Councilor Nasinnyk noted that the towns of Rocky Hill, Berlin and Cromwell were not included in the survey. Mr. Juda replied that Berlin does not offer any additional elderly tax relief, however they do offer the freeze program in which a lien is placed on the homeowner's property. He indicated that there appears to be little interest in a

lien program in Town. He stated that he will look into the other towns. Councilor Nasinnyk inquired as to what would happen if the number of applicants for the program exceeds the program's budget. Mr. Juda explained that there are a finite number of applicants who would qualify, so the Town can budget accordingly.

Councilor Banach inquired if there is a way to ascertain whether a resident also owns property elsewhere and noted a scenario in which a resident may qualify based on income but may also have additional assets in other properties. Mr. Juda replied that the State law only requires a threshold based on income but indicated that the Council could choose to require information about assets as well. He stated that there is no way to check whether residents own property elsewhere and stated that residents would have to be taken at their word. Councilor Cohen noted that assets can include more than just property. Mr. Juda noted that assets could include investments, 401k interest, etc. Councilor Klett noted that this item has been an issue during past discussions on the topic. Mayor Lenares thanked Mr. Juda for his presentation.

B. Market Square Streetscape – 1150 Main Street Tree Removal

DM McBride explained that a property owner contacted the Town and the Downtown Revitalization Committee regarding concerns he has about some trees on his Market Square property. DM McBride read the following communication from Attorney Vincent R. Sabatini, property owner of 1150 Main Street, into the record at Attorney Sabatini's request:

In early September, when I came back from my August Vacation, I saw that my neighbor, Premier Cleaners' trees were cut down. Upon inquiry I learned that the town came around and asked if they wanted the trees cut or not cut. This was the first I heard about this. I then contacted the Town Planner and Town Engineer. Tony and Chris came out to the site and verified that the four trees on my property should come down. They suggested that I appear before the Downtown Revitalization Committee to voice my request. I appeared and there seemed to be some confusion about my request. Why, I do not know. Apparently property owners on Market Square other than Premier Cleaners also have requested that their trees come down and the town has done so. I also know the town took down the trees on the Keeney property on the south side of my building some 3-4 years ago.

I like trees. Unfortunately the trees on Main Street are overgrown, are a danger to the public and are not in keeping with the character of the area. They should be cut down and not replaced. The trees on Market Square should be cut down and replaced as part of the project.

Thank you in advance for your cooperation.

Very truly yours,

Vincent F. Sabatini

DM McBride stated that Mr. Sabatini appeared before the Downtown Revitalization Committee. He stated that the contractor for the Market Square project is currently doing some work on trees and Mr. Sabatini has requested that the contractor remove some trees on his property. He explained that the resolution before the Council will allow the Town Manager to negotiate with Mr. Sabatini for the pricing to have the trees removed. Mayor Lenares inquired whether the Committee is asking the Council to get consensus about how it would like the Town Manager to proceed and noted that the two trees on Market Square are part of the streetscape project, but the two trees on Main Street are not. Deputy Mayor McBride stated that Mr., Sabatini would like to take advantage of having the contractor already on site to cut down the trees that are not part of the project as well. He stated that the Town will not pay for these trees to be removed and stated that by having the Town Manager negotiate with Mr. Sabatini would be a favor to Mr. Sabatini since he would be able to take advantage of the Town's pricing for tree removal. He indicated that Mr. Sabatini would be responsible for the cost of the removals. Mayor Lenares inquired whether all four trees will be removed or just the two on Main Street. Deputy Mayor McBride replied that with the Council's approval it would be up to the Town Manager to negotiate the details with the property owner and contractor.

Councilor Banach reiterated that the removal would be done at the property owner's expense. He stated that the two trees on Main Street are on private property. Councilor Bottalico noted that the contractor has agreed to remove the two trees on Market Square. Deputy Mayor McBride replied that he believes the trees on Market Square will remain but the trees on Main Street will be removed. Councilor Bottalico noted Mr. Sabatini's comment that the Town did plant the trees, therefore the Town should take them down and Councilor Bottalico

noted that he is not in favor of removing the trees at any cost to the Town. He stated that he is concerned about setting a precedent for tree removal on private property. Councilor Klett expressed concern about removing trees on private property and why the Town planted trees on private property in the first place. She questioned as to why the Town Manager needs to be involved in this situation. Deputy Mayor McBride stated that the Town Manager needs to get involved due to the timing of currently having the contractor on site for the Town's project. He commented that Mr. Sabatini is a bit late in his request but stated that it would be good to work with the property owner on this request. Councilor Klett remarked that it doesn't feel right to her. Deputy Mayor McBride asked Councilor Klett to elaborate. Councilor Klett inquired as to why the Town won't simply give the property owner permission to remove the trees that were planted by the Town on private property and inquired as to why the Town Manager needs to get involved in negotiations with a private owner. Deputy Mayor McBride stated that the trees are compromising the integrity of the sidewalks and power lines and noted that the property owner sees the opportunity to remedy the situation while the contractor and equipment to do so are already on site. He agreed that the Town should not get involved with improving private property at the Town's cost but indicated that this is no different than what occurred during the Constitution Square municipal parking lot project. He noted that the removal will be done at the property owner's expense and indicated that the contractor will be on site for only a short period of time, which is why the Council is requested to act on the item at the current meeting. He stated that the Council's approval will allow the Town Manager to negotiate an agreement between the two parties and reiterated that he has no interest in removing the trees at the Town's expense.

Councilor Klett remarked that it would be much cleaner for the Town to issue the property owner a memorandum stating that he has permission to remove the trees, rather than having the Town Manager get involved in negotiations or brokering between a private property owner and a contractor doing business with the Town. Councilor DelBuono agreed with Councilor Klett and expressed concern in getting involved with business on private property and also expressed concern with setting a precedent. She also noted that she would not be in favor of removing the trees at the Town's expense. She noted that according to the 2007 agreement with the property owner, it is the licensor's responsibility for maintenance, repairs or replacements of the sidewalk and indicated that according to page 1 of the agreement the licensor is the property owner. She also noted that she does not have enough information to be comfortable with making a decision on this item.

Councilor Cohen cautioned the Council not to complicate the issue and stated that it is simply to authorize the Town Manager to allow for the removal of the trees at the property owner's expense that would allow the work to be done while the equipment is on site. Councilor Nasinnyk inquired as to why the two trees on the corner of Main Street and Market Square were not removed as part of the streetscape project. Deputy Mayor McBride replied that those trees fall just outside the scope of the streetscape project. Councilor Nasinnyk expressed surprise that the property owner didn't come forward with this request sooner. She agreed that the trees should be removed but questioned as to why the Town Manager needs to get involved. Deputy Mayor McBride agreed with Councilor Cohen that this is simply to allow the Town Manager to speak with the property owner and to negotiate a price between the property owner and the contractor. He remarked that this property owner has been doing business in the Town for a long time and stated that this is the opportunity to help a business owner at no expense to the Town. He remarked that this will actually be a benefit to the Town as the trees that are not conducive to the area will be removed.

Councilor Bottalico questioned why this item even needs to be before the Council. He remarked that it is the Town Manager's decision and as long as it's not costing the Town any money then it is a waste of the Council's time to discuss the item. Councilor Nagel concurred that this is not within the scope of the Market Square project and concurred that any tree removal on this private property should not be done at the Town's expense. He also questioned as to why the Town Council needs to get involved in this issue rather than trusting the Town Manager to address the issue. Deputy Mayor McBride explained that the item must be addressed by the Council because the Town Manager needs to negotiate with the property owner for pricing from contractors working on a Town project.

Councilor Klett stated that she will not support the item because it sets a precedent. Councilor Banach stated that he will support the item because this issue requires a municipal authority, in this case the Town Manager, to act as the intersection between the two parties to get the job done. He noted that this will be mutually beneficial to both the property owner and the Town and noted that the property owner has been a taxpayer in Town for a long time.

Mrs. Trevethan indicated that the Council is requested to take action on this item because the removal of the trees will affect the sidewalk, and will therefore require an update of an agreement between the Town and the former owner of the 1150 Main Street property regarding sidewalk maintenance and repair. She stated that the

agreement will have to be update to include Mr. Sabatini as the current property owner. Councilor DelBuono concurred and noted mention of maintenance and replacement of the sidewalk pavers in the agreement as being the owner's responsibility. She stated that she has concerns about the item and will not support the resolution.

Deputy Mayor McBride moved to waive the rules to vote on the item. Motion seconded by Councilor Banach.

Public participation Re: Waiver of the Rules – none.

Mayor Lenares requested a roll call vote.

Councilor Banach – Yes
Councilor Bottalico – No
Councilor Cohen – Yes
Councilor DelBuono – No
Councilor Klett – No
Councilor McBride – Yes
Councilor Nagel – Yes
Councilor Nasinnyk – Yes
Mayor Lenares – Yes

The vote was 5 in favor, 4 opposed, however the motion to waive the rules failed pursuant to the Newington Town Council Rules of Procedure which require a 2/3 affirmative vote to waive the rules on an item.

Councilor Nasinnyk inquired whether the resolution could be amended to indicate that the removal of the trees would be performed at the property owner's expense. Councilor Cohen inquired whether the Council can vote to waive the rules to consider an amended resolution. Mrs. Trevethan replied that she believes that if a Councilor proposed an amended resolution the Council could consider waiving the rules to take action on the amended resolution since it would be different than the original resolution, which is no longer on the table. Mayor Lenares stated that the votes are not there and this item could be discussed the next future meeting.

C. Cedarcrest Hospital Demolition

Councilor Klett stated that she had requested this item to be placed on the agenda after hearing feedback from the public. She stated that she found out after the fact that the Mayor had received a letter on September 12, 2011 regarding the State's new data center that will be constructed on the former Cedarcrest Hospital site. She stated that she spoke to Senator Paul Doyle who sent her some information on the project. She indicated that the new data center will be primarily used to house equipment, such as computer hardware, rather than employees. She stated that this new data center will not be occupied until sometime after 2014.

Councilor Nagel noted that the building is noted as a historic building, but noted that some historic buildings are not worth saving due to poor conditions, or no longer have the same historical value due to multiple renovations, etc. He inquired whether this designation is part of Councilor Klett's concern. Councilor Klett replied that she was just concerned about finding out the plans for the site and remarked that she would not think the buildings could be considered historical due to their dilapidated condition. She remarked that the publics' concerns were that the buildings would be torn down, when the information she has received indicates that this is not the case.

D. Public Safety Concerns

1. Coyote Sightings

Councilor Klett requested that the Chief also address the issue of bobcat sightings in Town and indicated that her primary concern is with the safety of the Town's children. Police Chief Richard Muhall noted an attack on a Great Dane by a coyote earlier in the month. He stated that the dog was tied up outside at the time. He noted that there have been coyote and bobcat sightings in the Town. He stated that the Town follows State DEEP procedures for wild animal sightings and indicated that according to DEEP guidelines incidents not involving attacks on humans are not considered a threat. He noted that wild animals such as bobcats, bears and coyotes tend to feed on garbage, food left outside of a home and birdseed and noted that they will also hunt small animals, roaming cats and dogs. He noted that while coyotes are territorial animals they are also very skittish of humans and stated that while coyotes are primarily nocturnal, seeing one during the day is not necessarily an

indicator of a problem. He stated that any sightings should be reported to the police, and while the police department is not fully equipped to handle large animals the officers are trained to handle a direct threat against humans in extreme situations. He also indicated that the Animal Control Officer has the ability to use non-lethal methods to control wild animals; however he indicated that there are limits as to what the Animal Control Officer can do to control large animals such as coyotes. He stated that the Town can request to hire a private hunter through the DEEP if necessary, but only in the instance of a direct threat against humans. Chief Mulhall noted that there are several tracts of open space and wetland areas throughout the Town and stated that the DEEP does not feel that the population of wildlife in these areas is excessive.

Councilor Klett noted that the Animal Control Officer investigated the woods near Anna Reynolds School for bobcats. Chief Mulhall stated that if there is a sighting in the school area they will investigate to see if they can locate a nesting area for the animal, and also noted that the Officer investigated the area of a coyote sighting for several days but was unable to locate the animal. He stated that according to the DEEP there have not been any reports of bobcat attacks on humans in the State. He stated that a bigger concern for the department would be a case of a distempered animal, but if the animal is observed in its normal state and is a healthy animal then it is not as much of a concern. Councilor Klett inquired whether a bobcat or coyote sighting during the day would be a concern and expressed concern for the safety of small children. She stated that she wants to reassure parents that their children are safe, and remarked that if the Chief cannot do that then something will need to be done to address the issue. Chief Mulhall reiterated that the Town is in contact with the DEEP on the issue and the Town has been advised that there have been no attacks on humans and the likelihood of such attack is very small. He stated that the Police Department is closely monitoring the situation. He stated that while coyotes and bobcats are usually nocturnal it is not entirely unusual to see either animal during the day. He stated that a concern would be an animal not skittish of humans, or one acting in an unusual manner. Chief Mulhall indicated that Sgt. Zematis has been in close contact with the schools to address parents' concerns. He noted that animals are being pushed out of their natural habitat and are therefore forced into residential neighborhoods to feed. He reiterated that the situation is being monitored. Councilor Klett inquired whether there has been an increase in sightings over the past two years. Chief Mulhall replied in the negative and stated that the recent attack on the dog was the first he can remember. He reiterated that coyotes are territorial, especially in spring and early summer when coyote pups are typically born and reiterated that while there have not been more bobcat sightings than usual the police department is keeping a very close eye on the situation.

Councilor Klett asked the Chief to confirm that there are no major concerns about the safety of children and she also requested that the Chief include information about coyote and bobcat sightings in his monthly report to the Town Manager. Chief Mulhall stated that he does not feel that there is any real threat to the children from these types of animals at this time. Mrs. Trevethan indicated that information pertaining to coyote and bobcat safety is available on the Town website.

2. SWAT Team Needs/Donations

Councilor Klett requested an update regarding SWAT Team needs in terms of equipment and noted a recent request for donations to the team. Chief Mulhall stated that the SWAT team is well equipped and has been properly funded by the Council. He indicated that the team is considered a tier-one team and meets the requirements to be classified as such in Connecticut. He stated that fewer than 30% of the teams in the State are considered a top-tier team. Chief Mulhall stated that the team is equipped with an array of weapons, illuminators, ballistic protection, masks, hazmat equipment and other equipment and noted that the Town is working on a regional endeavor to obtain extended self-contained hazmat suits. He also noted that the team also has repelling equipment, ladders and breaching equipment and has received standard, specialized and medical training for high-risk situations.

Chief Mulhall stated that the team recently approached him for permission to hold a fundraiser, as had been done several years ago when the team was first formed in 1989. He stated that the purpose of the recent fundraiser was to obtain some high-end cold weather gear. He stated that team does currently have cold weather gear and noted that the funds allocated to the team by the Council are prioritized each year. He stated that the fundraiser will allow the team to purchase some of the high-end cold weather gear as the funding allocated by the Council was allocated towards necessary equipment. He remarked that holding a fundraiser could create the impression that the team is not funded properly but indicated that this is not the case. Councilor Bottalico indicated that \$2,500 of the \$5,000 goal was raised for the cold-weather gear during the Extravaganza and inquired whether the additional funding has been raised. Chief Mulhall replied that the Department plans to use asset forfeiture funds to reach the goal and reiterated that the fundraiser may have caused a misconception that the team is not properly funded. He thanked the Council for its support. Councilor

Bottalico stated that the additional \$2,500 should be funded by the Police budget for the cold weather gear. Councilor Cohen congratulated the team on their tier 1 designation.

VI RESIGNATIONS/APPOINTMENTS

A. Commission on Aging and Disabled

Councilor Banach moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Sue Mazzoccoli from the Commission on Aging and Disabled in accordance with a communication dated September 12, 2011.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

Councilor Banach moved the following:

RESOLVED:

That the Newington Town Council hereby makes the following appointment:

Commission on Aging and Disabled

**9 members, 3 year term
Party Max.: 6**

Name	Address	Party	Term	Replaces
Margaret Antinerella	57 Sunnyside Drive	D	IMMED.-11/30/12	Vacant (S. Mazzoccoli resigned 9-2011)

Councilor Klett thanked Ms. Mazzoccoli for her years of service.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

B. Library Board

Councilor Banach moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Alan Nafis from the Library Board, in accordance with a communication dated September 13, 2011.

Councilor Klett thanked Mr. Nafis for his years of service.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

C. Other Boards and Commissions

Councilor Banach moved the following:

RESOLVED:

That the Newington Town Council hereby makes the following appointments:

15. Newington Housing Authority

Name	Address	Party	Term	Replaces
Kevin Mason	165 Pheasant Run	D	12/1/10 –	Kevin Mason

			11/30/15	(Term Exp. 11/30/10)
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19. Town Planning and Zoning Commission

Name	Address	Party	Term	Replaces
Alternate: Michael Camillo	126 Willard Ave	D	IMMED – 11/30/11	D. Lenares: Full member 7-11

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

VII TAX REFUNDS

Councilor Banach moved the following:

RESOLVED:

That property tax refunds in the amount of \$16,251.09 hereby approved in the individual amounts and for those named on the “Requests for Refund of an Overpayment of Taxes,” certified by the Revenue Collector, a list of which is attached to this resolution.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0

VIII MINUTES OF PREVIOUS MEETINGS

A. September 13, 2011

Councilor Bottalico moved to accept the minutes of the September 13, 2011 meeting as written. Motion seconded by Councilor Klett. Motion passed 9-0.

IX TOWN MANAGER REPORTS

(none)

X COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Nagel noted that the Blight Subcommittee is in the process of having the Town Manager put together a draft ordinance for Council consideration. Councilor Klett requested that this item be placed on the next Council agenda, noting that the Committee last met on September 15. Mrs. Trevethan stated that per the Town Manager the item will appear on the October 11, 2011 Council agenda.

Councilor Bottalico noted that the Clem Lemire synthetic turf field grand opening ceremony went very well and thanked everyone who attended. He stated that Councilor Klett did an excellent job during the ceremony.

XI PUBLIC PARTICIPATION

Gary Bolles, 28 Burdon Lane: Mr. Bolles requested to read the following letter, dated September 26, 2011 into the record:

Dear Mr. Salomone:

Over the past few months I have attended many meetings held by the Town Planning and Zoning Commission and Conservation Commission in the Town Council Chambers. There is definitely a serious problem that has continued with the sound system and acoustics in the Town Council Chambers. I'm not an expert, but I have narrowed it down to the following. The main problem is the HVAC (air handling system) is too noisy and interferes with the ability to hear. Because of this noise when the public and/or officials speak we then cannot be clearly heard. Granted, the hearing is improved when everyone speaks directly into the microphones and pulls them in close proximity (inaudible). Also, looking over the written minutes of the meetings there are several places where the word “inaudible” appears in place of a spoken word. This infers that the recorder is

having difficulty hearing the spoken words. Could you please have a technician check out the air handling system noise? If this could be decreased, maybe with an adjustment, suspended ceiling or filter, etc., then this just might solve the problem. With courtesy I am enclosing a copy of the public's remarks at the last TPZ meeting on September 14, 2011 concerning this problem. Thank you for your kind and much appreciated attention regarding this important matter.

Very truly yours,

Gary Bolles

Attachment:

(P 21 – TPZ Minutes 9-14-11)

Maide Kinney, 53 Crestview Drive: I think over the past few months, I have come to realize that this is one of the most important Commissions in this town. The decisions that you have to make will affect this town forever. Saying that, my hearing is perfect. I have not been able to hear probably eighty-five percent of what you all had to say tonight. That distresses me, because I'm interested in this situation, and I can't understand, I'm sorry, I can't hear you. Is there anything that can be done, use this microphone here, pass it around, I think that something has to be done.

Gary Bolles, 28 Burden Lane: I will second Made Kinney's remarks. I think part of the problem here is the air handling system. That's kind of noisy, and it does impede anyone's hearing in this room, even though we have excellent hearing, so take that into consideration please.

Myra Cohen, 42 Jeffrey Lane: I will add my comments to this. One of the problems is that you do have to hold the mic closer to your mouth. If you look at entertainers, when they perform, they are practically eating the microphone and you do not hold it close, you turn your face away, you talk this way, that way, you're not talking into the mic. Please, you know that you have a low volume voice, then remember that in public speaking, speak up. I don't know that it is the equipment, it may be part of it, but I think it's also that you have to hold it close to your mouth and if you turn your head away, keep the mic along with the turn. Thank you.

Rose Lyons, 46 Elton Drive: Ditto, ditto, ditto, and we moved up front and we still couldn't hear. If we are going to continue to meet in this room, I would suggest that something be done about this, sure, there isn't going to be as many people, much as I wish there would be, I don't know if the room back where you used to meet is out of the question now, or if you are going to be meeting somewhere else, I just wish that we all could hear what you are saying, because I know that the questions that you were asking are important ones, ones that we want to hear and get the answer to. Thank you.

Chairman Pruett: I just want to ask, is there a big difference between tonight and previous ones or....

Rose Lyons: This mic is working all right tonight, because apparently it has batteries, but it looks like you all have different microphones, some of you, and like Myra said, some of you are talking like this, talking to the other Commissioners so we don't hear what you are saying.

Chairman Pruett: Thank you. Anyone else from the public wishing to speak. We will try to work on our skills and maybe we will be more cognizant of the microphone. Thank you for your information, we will make a note of this.

Rose Lyons, 46 Elton Drive: Ms. Lyons reiterated Mr. Bolles' comments regarding the sound system problems. She stated that she spoke to Mr. Juda following his presentation and remarked that it was very informative. She thanked Councilor Bottalico for bringing this up for discussion and stated that it is a good thing to look at as there are many different programs for seniors throughout the state, each with different criteria. She stated that there is an item that will require discussions at several meetings. She remarked that she is surprised that the Town would enter into an agreement with a property owner in conjunction with a project being paid for with State funds and expressed concern with setting precedence. She thanked Councilor Bottalico for noting the Council rule regarding waiving the rules.

XII REMARKS BY COUNCILORS

Councilor Klett requested that the issue regarding State property in the Town, the Town's right of first refusal and the Town of New Britain's request to purchase the land be included on the next Council agenda. She noted

a call and subsequent letter from the Mayor of New Britain to the Town Manager regarding the issue and indicated that the Mayor of New Britain seems to be under the impression that the Town is going to give up the rights to the land to New Britain in order for a Cosco store to be built in New Britain. She stated that this will need to be discussed by the Council. Councilor Klett also expressed concerns about the acoustics in the Council Chambers.

Councilor Nasinnyk thanked those involved with running a very successful Waterfall Festival.

Councilor Banach indicated that the use of Starr Park has skyrocketed since the installation of the new equipment.

Councilor Bottalico requested to place an item regarding tax delinquencies on the next Council agenda for discussion about action to be taken against delinquent taxpayers. He also noted problems with the grass at Clem Lemire and inquired what could be done about the issues.

Councilor DelBuono noted the successful opening ceremony for the synthetic turf field and noted that the field will be utilized for other sports such as soccer. She stated that it is an impressive facility.

Councilor Nagel congratulated those involved with the synthetic turf field and stated that it is a wonderful facility. He also congratulated those involved with the successful Waterfall Festival.

Deputy Mayor McBride expressed disappointment that the tree removal issue did not pass as it affects the Town's center. He stated that what was requested today is along the same lines as what has been done in past projects and remarked that he feels that the item did not pass due to a lack of information since the Town Manager and Town Planner were not available for discussion. He stated that he feels that the item would have passed easily had either of them been in attendance.

Mayor Lenares stated that the Waterfall Festival was a great success and noted that concerns of the local businesses in the area regarding the event have been addressed. He stated that the turf field opening ceremony went very well.

Councilor Klett stated that she would not have changed her opinion of the tree removal item had the Town Manager or Town Planner been in attendance.

XIII ADJOURNMENT

Councilor DelBuono moved to adjourn the meeting at 9:10 p.m. Motion seconded by Councilor Banach. Motion passed 9-0.

Respectfully Submitted,

Jaime Trevethan
Executive Assistant to the Town Manager